



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

v.

Criminal No. 1:16-cr-00020-LG-RPM-001

RICKY WADE PERRY

Defendant

and

RMR MECHANICAL
c/o Jenny Joyce, Registered Agent
4665 Church Road
Cumming, GA 30028

Garnishee

ORDER

A Writ of Garnishment [34], pursuant to 28 U.S.C. § 3205, directed to RMR MECHANICAL as the “Garnishee,” has been duly issued and served upon the Garnishee as to Defendant Debtor Ricky Wade Perry.

Pursuant to the Writ of Garnishment, RMR MECHANICAL filed an Answer [38] on May 29, 2024, as the Garnishee, stating that at the time of the service of the Writ it had in its possession, custody or control, personal property to which the Defendant held an interest, and Garnishee was indebted to Defendant, in his sole capacity, as follows:

Periodic earnings at the rate of \$33.00 per hour. The Garnishee provided in its Answer that the periods of work are intermittent, and that the Defendant, Mr. Perry, is routinely hired by the company to perform work which is considered seasonal, based on the sporadic nature of the work. The Garnishee provided in its Answer that Mr. Perry has been routinely employed, albeit sporadically, since July 13, 2020, and continues to be called on by the Garnishee to perform work as the need arises.

On May 15, 2024, Defendant Debtor was served with a copy of the Clerk's Notice and the Writ of Garnishment, advising that he may file an objection to the writ and the answer of the garnishee, claim applicable exemptions, if any, and request a hearing within 20 days of service. *See* Cert. of Service [36]. Defendant was served with the Answer evidenced by the Certificate of Service filed by the Garnishee with its Answer [38] on May 23, 2024. Neither party has filed an objection and requested a hearing as to the writ or the answer filed by Garnishee RMR MECHANICAL within twenty (20) days of the filing of the same, pursuant to 28 U.S.C. §§ 3202(d) and 3205(c)(5). It has been shown that the amount of criminal debt owed by the Defendant is presently **\$77,931.24**.

IT IS THEREFORE ORDERED that Garnishee RMR MECHANICAL pay to Plaintiff, from Defendant's recurring "earnings," his "non-exempt disposable earnings," which is **25%** of Defendant's "disposable earnings" as defined by statute (*see* 28 U.S.C. § 3002), until the judgment owed to Plaintiff is paid in full, or until Garnishee no longer has possession, custody, or control of earnings belonging to Defendant, or until further order of this Court. The Garnishee shall continue to make payments under this Order of Garnishment anytime it disburses earnings to the Defendant, Ricky Wade Perry, without regard to the periodic or sporadic nature of the employment. Amounts withheld between the receipt of the Writ and this Order should be included with the first payment.

IT IS FURTHER ORDERED that the Clerk of Court will reduce the amount of the judgment debt owed to the United States by the amount received, and that an annual accounting of this garnishment shall be filed by the Government with the Court and provided to the judgment debtor and the garnishee pursuant to 28 U.S.C. § 3205(c)(9)(A) so long as this garnishment order is in effect.

Payments shall be made payable to **Clerk of Court** and mailed to **United States District Clerk of Court, 2012 15th Street, Suite 403, Gulfport, MS 39501**. The payment shall include on the face of the payment instrument the name of the Defendant, Ricky Wade Perry, and the case number 1:16-cr-00020-LG-RPM-001 for proper identification.

IT IS SO ORDERED this 28th day of June 2024.



HONORABLE LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE